DOCUMENT RESUME

ED 254 583 UD 024 074

AUTHOR	Thomas, Franklin A.
TITLE	Race Relations and Ethnicity.
INSTITUTION	Ford Foundation, New York, N.Y.
PUB DATE	Jan 85
NOTE	27p.; Whitney M. Young, Jr. Memorial Lecture (1st, Columbia University, New York, NY, October 24, 1984).
AVAILABLE FROM	The Ford Foundation, 320 East 43 Street, New York, NY 10017 (Free).
PUB TYPE	Viewpoints (120) -- Speeches/Conference Papers (150)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Affirmative Action; Black Family; Black Youth; Civil Rights; *Cultural Pluralism; *Ethnic Relations; Foreign Countries; Government Role; Minority Groups; Poverty; Public Policy; *Racial Discrimination; *Racial Relations
IDENTIFIERS	*South Africa; *United States

ABSTRACT

This presentation focuses on the state of race relations in South Africa and the United States as viewed against the backdrop of threats to world peace. It is argued that pluralism is likely to persist within most societies and should be recognized as both a potential threat and a potential benefit. As a strategy for peaceful pluralism in both South Africa and the United States, three key principles are articulated: (1) respect for the inherent equality of individuals and protection of their civil liberties; (2) equitable access to political and economic power; and (3) encouragement of society's peacemakers. Americans, it is argued, should feel especially responsible for human rights in South Africa because: (1) it is morally right; (2) it is the obligation of the free world's leading power; (3) the people of South Africa want the understanding of the United States; and (4) the United States has extensive interests in South Africa. In the United States itself, although blacks, minorities, and women are far from fully equal, the failure to eliminate the legacy of racial discrimination does not mean nothing has improved; however, in the late 70s and especially since 1980, much of the progress achieved in the two preceding decades has been stalled or reversed. The United States, it is concluded, is at a critical time in its march toward equality. (RDN)

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Race Relations and Ethnicity

by Franklin A. Thomas

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Franklin A. Thomas is president of the Ford Foundation. The following was delivered at the first Whitney M. Young, Jr. Memorial Lecture at Columbia University on October 24, 1984.

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I am honored to have been asked to give the first Whitney M. Young Memorial Lecture. That honor is deepened by the fact that I was encouraged to accept the invitation by my friend and colleague Margaret Young—Whitney's widow—and by the setting for the lecture, this great university, which I so admire.

Whitney Young had a global view. He recognized and applauded the struggles for freedom taking place throughout the world. At the same time, he understood that the imperial domination against which people struggled could be replaced by equally repressive regimes if the respect for individual and political liberties fell victim to the struggle for freedom.

He also recognized that freedom without economic advance would prove a hollow victory for the masses of people whose expectations had been raised by the prospect of new opportunity.

Thus, in his life and in his work, he sought to blend the struggle for freedom with respect for civil and political liberties and economic advancement. His methods were those of the peacemaker. He identified and reinforced the positive attitudes that people shared—regardless of their racial or ethnic identity.

Momentous events had occurred during the years of Whitney's leadership. After unified struggles to rid themselves of colonial oppression, many new nations had not found

peace. The Indian subcontinent had torn itself apart in a civil war. African independence—so stirring to freedom-loving people everywhere and a special source of pride to America's black people—was followed by bitter strife as new nations sought to reconcile traditional group boundaries and cultures to the often artificial boundaries that came with sovereign statehood. In South Africa, the government's insistence on perpetuating a monstrous apartheid system that constricted the most basic freedoms of the majority had produced an emerging cadre of black leaders dedicated to challenging that system.

At home as well, as progress toward racial justice faltered, Whitney saw and was troubled by the conversion of some American blacks to the belief that violence, rather than political action and bridge-building, represented the shortest distance between oppression and freedom and between deprivation and achievement.

Whitney sought to broaden his comprehension of those global and domestic conditions through travel to other continents. Nigeria turned out to be the last of what surely would have been a continuing series of journeys to foreign lands.

As Whitney's understanding of race and ethnicity was informed by an international perspective, so might ours be. I will therefore leave the current status of blacks in America to the second part of the evening. The first part I will devote to issues of race and ethnicity in other continents, with special emphasis on South Africa. The United States with its diversity is part of a world of diversity, where billions of people of varied heritage are struggling to find ways of living together in peace, often with uneven results.

I think it's fair to say that the fate of the world may rest upon a precarious balance

between two human instincts. One is the instinct for dominance that mobilizes the resources of aggression. The other is an instinct for survival and community that musters our resources for making peace and respecting others—even when they differ from ourselves. Those peacemaking resources are called upon to resolve at least two categories of conflict. The first is the daunting contest between the nuclear superpowers. The second is the web of racial, ethnic, and religious hostilities from which few nations have been wholly spared and which have convulsed most of Africa, Asia, Europe, the Middle East, and, from time to time, the United States.

The nuclear rivalry threatens the planet with annihilation. The rivalry of groups may be less apocalyptic yet, in some important ways, more insidious. It threatens the governability of nations, depresses living standards, brings massive violations of human rights, and exacerbates international tensions.

Conflicts of race and ethnicity also impair the quest for international peace and security. They have spilled over into the geopolitical maneuvers of the superpowers; both seek to strengthen their strategic capabilities by aligning clients and proxies from racial and ethnic battlefields. As small atomic weapons proliferate and as terrorists and their sponsors become technically proficient, there is an awesome risk that fanatics will acquire the nuclear spark that could touch off the ultimate conflagration.

In principle, the ultimate clash between the superpowers can be averted by a few leaders, perhaps just two, sitting across a table. A framework for the peaceful resolution of racial, religious, and ethnic conflict is more elusive. The conflicts are widely dispersed. Each seems to have its own cause, each its own history. The impulses that nourish inter-

group strife lie buried in recesses of the human psyche and are possibly beyond our hope of full comprehension.

That is perhaps the reason why so much ethnic hostility still exists at the very approach of the 21st century. Its persistence challenges two major streams of 19th-century thought. First, it dispels the optimistic belief that economic growth would end the frictions caused by poverty and envy and that science and universal education would cleanse the ignorance and superstition that spawn bigotry and hate.

It also challenges the Marxist premise that racial and ethnic conflict was capitalism's instrument to divide the proletariat and imperialism's instrument to divide the subjugated people of colonial lands. There is as much conflict in Marxist as in non-Marxist countries.

For the foreseeable future, most of humankind seems destined to remain divided into more or less cohesive groupings affiliated by race, religion, or ethnicity. The forces of assimilation and intermarriage may have blurred some of the demarcations, but only to a modest degree.

The diversity that is likely to persist within most societies is both a potential threat and a potential benefit. Pluralism can immensely strengthen the quality of civilization just as group conflict can impair it. Diversity is the wealth of humanity, the main source of enhancement of life and art and the beauty of the human spirit. Each group contributes to the common good its own capacities. All society is enlarged and enriched by the contributions of those of different heritages.

The challenge to governance then is to preserve the values of pluralism while minimizing the chances that group differences will degenerate into group violence. It is a

hard challenge, one that is a process as much as a goal. Successful pluralism requires an adherence to three principles.

—First, respect for the individual—a moral and legal framework that protects the civil liberties of everyone and assures that no one will be dominant or be subjugated because of membership in a group.

—Second, equitable access to political and economic power—a governance system that provides full participation in political and electoral processes and in other institutions that control power and resources.

—Third, a commitment to peacemaking, reinforced by a wide distribution of organizations and activities at the community and neighborhood levels. These local organizations have proven to be bridge-builders between ethnic groups.

The global struggle to achieve workable systems of pluralist governance is a noble one. There has been progress as well as many setbacks. First the bleak part of the record.

Since World War II, racial, religious, and ethnic conflicts have resulted in more violent deaths than have the confrontations between the Communist and non-Communist worlds, including the wars in Korea and Vietnam. I suspect no one will ever know the precise number, but one estimate places the total at more than 15 million people, most of them in Asia and Africa.

Incidents and clashes have taken place in India, Pakistan, Sri Lanka, Malaysia, Indonesia, the Sudan, Ethiopia, Uganda, Nigeria, Southern Africa (especially South Africa), Europe, and Northern Ireland. The list, while incomplete, is enough to remind you of the pervasiveness of ethnic conflict and why the forms it takes defy precise classification. Violent confrontations occur between and within

racial groups, between and within religious groups, between and within ethnic groups, and each category crosscuts the others.

That tangle notwithstanding, several generalizations are possible.

First, there is a disintegration process at work, a tendency for existing entities to splinter into ever-smaller fragments. That splintering process is in direct contradiction to the world's quest for more coherent and integrated systems of governance, for supernational bodies to minimize discord and to maximize common action. The United Nations is the apex of a larger array that includes many regional associations as well as transnational religious and ethnic organizations. But where there was fusion, there is now fission. The United Nations is struggling to hold together against forces that are dividing and subdividing it. And most of the supernational organizations of Africa and the Middle East have declined in effectiveness.

To digress for a moment, one can see the same processes of integration and disintegration in the world's interdependent economic system. The unifying influences of such intergovernmental organizations as the World Bank, the International Monetary Fund, the Common Market, and GATT are often nullified by a regression to economic nationalism and beggar-thy-neighbor policies.

A second trend affecting global patterns of race and ethnicity is the massive waves of international migration. By the scores of millions, individuals and families have departed their native lands for temporary or permanent settlement in lands whose residents differ from them in race or religion or culture, or all three.

That huge redistribution of people has significantly and immutably altered the racial and ethnic patterns of both the developed

world and developing world, with consequences we have yet to assess. All over the world the indices of national diversity have sharply increased; most nations are more pluralistic today than they were a generation ago.

This population redistribution will continue. The large numbers of people in the refugee and displacement camps are ready sources of new migrants. The millions of already settled immigrants are eager to bring more millions of family members. And beyond the near-term potential for new migration there is the long-term potential of a developing world marked by high birthrates, poor economic opportunities, shrinking natural resources, and life-threatening political turmoil.

The criss-cross of conflicts permits still a third generalization. In a majority of the cases, one or more of the contending groups is seeking independent nationhood or at least some form of territorial autonomy. South Africa is a dramatic exception, where a dominant minority government is seeking to remove citizenship from its majority black population by giving it scattered barren land it calls sovereign states in order to offer to the world the image of South Africa as a white majority nation.

Set against this bleak story of ethnic strife among so many millions of people is a more encouraging story. It is one of even more millions who dwell in quiet with people of other ethnicities by concentrating on that which unites them rather than on that which divides them. And what unites them the most is a common desire to get on with their lives, to wake and work and sleep in security; and they know that is possible only if they let their neighbors do the same.

For that second story I have no long text since the annals tend to recognize only

events; non-events are seldom chronicled and sink into a kind of invisible history. To take an example from our own experience, think back to the 1960s when the flames in Watts and Detroit riveted our attention, brought about a Kerner Commission and a flood of reports and explanatory theories. But one heard little or nothing of the multitude of places where riots didn't happen because so many people worked hard to prevent them.

There are, likewise, unreported events in the accounts of conflict around the world. Recall the incident at the Golden Temple in Amritsar where a pitched battle took place between Sikh nationalists and Indian troops. Few of us know that, following that episode, citizen teams of various ethnicities volunteered their labor to repair the damage.

After the violence in Sri Lanka, a peace march of Singhalese and Tamils was organized by the Sarvodaya society, an organization dedicated to the principles of Mahatma Gandhi. The society enlists the help of multi-ethnic volunteers to reconstruct houses and dig communal wells and provide services to relief camps.

We read of the ethnic conflicts in the Sudan, but not that people of different ethnicity have banded together in Port Sudan to create and operate a successful credit scheme for small-scale entrepreneurs. Zimbabwe's inter-group strife goes on and on, but so does the daily activity of many organizations like Silveira House, a Jesuit-run voluntary agency which has integrated the rural poor of different backgrounds to organize development projects that improve their productivity and earning power.

Such examples will seem disproportionate to the scale and prevalence of ethnic conflict. But they can be endlessly multiplied. All illustrate the fact that the instinct for peace and

cooperation is as widespread as its opposite. At any one time—and over time—conflicts engage only a tiny fraction of the people. And sooner or later, conflicts come to a stop because people want them to stop.

The unifying efforts of government are also under-reported. Most of the nations of the third world try, with varying degrees of effectiveness, to achieve workable formulas for pluralistic governance. India's constitution, with its extensive provisions for ethnic and language groups and its special treatment of disadvantaged castes and tribes, is a prominent example. Third-world countries are also seeking the intellectual aid of many of their leading scholars in tackling these problems. They have formed a network linked to the International Centre for Ethnic Studies in Colombo. Given the intractability of the problems, one cannot expect swift progress. If modern and wealthy nations have not yet overcome the frictions of ethnicity, we should not be surprised how hard it is for those who start with the heavy burden of old hatreds and time-hardened social pyramids and who are too poor to do much resource sharing.

Now I'd like to take a closer look at South Africa, a country whose race relations are of special significance to both the world and the United States.

Nearly all civilized people share the conviction that apartheid—the South African system of racial discrimination imposed by the white minority on the black majority—is wrong and constitutes a unique violation of human rights. The system is based on race as the absolute determinant of how a South African citizen is to live and work. It excludes nearly 85 percent of the population from full access to opportunities for personal, political, social, and economic fulfillment.

Those racial criteria are incorporated into

South Africa's institutional and legal framework. They are promulgated and enforced by a government that is politically aligned with the United States and that professes adherence to a system of values similar to our own —where respect for individual rights is central.

But to many Americans South Africa is a remote country. Some ask, why should America feel any responsibility for what happens there? Given our own shortcomings with respect to racial equality and a world so full of suppressed human rights, why single out South Africa?

My response is simple: first, it is morally right; second, it is the inescapable obligation of the leading power of the free world; third, the people of South Africa—black and white —want our understanding and help no matter how vigorously each group may deny it from time to time. Finally, we have a lot at stake in South Africa.

Various constituencies in the United States would rank U.S. interests in South Africa differently. But each would acknowledge the existence of moral, commercial, and strategic interests.

As a multiracial society committed to racial equality, the United States has a strong moral interest, based on our nation's fundamental beliefs, in promoting movement toward a system that guarantees basic human rights for all South Africans. The continued denial of basic freedoms to South Africa's majority also risks large-scale and sustained racial violence there, which could have a corrosive effect on race relations in our own country. The United States therefore has more than an ordinary responsibility to see that fundamental political change takes place in South Africa with a minimum of violence.

Apartheid has created a deep emotional gulf between South Africa and most of the rest of the African continent. It is in the direct interests of the United States to maintain commercial relations with both sides. We import many strategic minerals from South Africa. But, at the same time, we are a heavy importer of oil from Nigeria. In the aggregate, our trade with black Africa is more than twice as great as our trade with South Africa.

Lastly, we have a strategic military interest in limiting the Soviet Union's spread of influence in the region and its ability to block the use of the sea route around the Cape of Good Hope, along which most of the West's oil passes.

No matter what the South African government does to reinforce the status quo, black forces inside the country will eventually alter it. The United States must look ahead to the day when the white minority will no longer have a monopoly of power.

For most blacks in South Africa, a bona fide beginning to constructive negotiation would be a candid, open dialogue between black leadership and the government concerning the political future of the country. For blacks there can be no acceptable solution unless there is a genuine sharing in political power.

For most whites in South Africa, an acceptable solution cannot be based on a winner-take-all form of majority rule. That is the core of the problem. But these positions are not mutually exclusive and there is room for a workable reconciliation.

In trying to bridge those positions, the choice is not between "slow, peaceful change" and "quick, violent change," but between a slow, uneven, and sporadically violent evolutionary process, and an equally slow but much more violent descent into civil war.

Both paths could lead to an authentic rearrangement of political power. However, the United States should encourage the less violent path for moral and practical reasons: it promises less bloodshed, and the successor administration is likely to be more responsive to the rights of all citizens and more protective of all U.S. interests.

Finally, intransigence on the part of the South African government promotes the growth of Soviet influence in the region through increased political instability, rising levels of racial violence, and armed conflict.

There are no easy solutions for South Africa. Black and white South Africans must make their own choices. Whatever specific system they *freely and fairly choose* should be respected by the United States and the international community.

Many white leaders in South Africa appear to accept the need for real reforms, and many black leaders are reconciled to a step-by-step process of fundamental change. But South African blacks are losing patience, and younger blacks are becoming radicalized.

South Africa is in ferment. Along with government repression are some genuine reforms. There is also a great deal of debate within all racial groups from which no clear resolution has emerged, nor has a clear pattern for the future.

If we are to help the people of South Africa and ourselves, we must settle our own internal debate over the central objectives of U.S. policy. We should give South Africa an unequivocal message of where we stand as a nation and what action we are prepared to take. Moreover, because these issues are so basic, that message must not shift from Administration to Administration.

As the Study Commission on this subject urged in its report of 1981:

Our first objective should be to make clear —on a continuous, ongoing basis—that the government and people of the United States are fundamentally opposed to apartheid and to the exclusion of South Africa's black majority from an effective share in political power.

By making this point clearly and constantly to both black and white South Africans, we should reduce any misunderstanding of the motives behind our continued presence in South Africa. The U.S. government should broaden its arms embargo against South Africa, establish a formal nuclear embargo, and continue to withhold diplomatic recognition and economic aid from the independent homelands.

For U.S. corporations, there should be a policy of no new investment—those now in South Africa should not expand their operations, and those companies not already there should stay out. Disinvestment should be held open as potential future action if conditions worsen.

Corporations that do stay should align their economic interest with progress toward social justice and commit a substantial and publicly announced portion of their resources to improving the lives of black South Africans.

In addition, all U.S. companies in South Africa that have not yet subscribed to the Sullivan Principles of corporate conduct should do so, and an effective system for monitoring compliance with the Principles should be developed.

Our country's related second objective should be to systematically exert what influence we can on the South African government to promote genuine power sharing through the use of inducements to encourage positive initiatives, and through pressures to discourage negative ones.

Third, to assist the development of black leaders and to promote black welfare, we should support black and multiracial labor unions, education programs, and public in-

terest and self-help organizations in South Africa that are working for change.

Fourth, we should assist the other states of southern Africa to develop their economic structures—especially in agriculture, transportation, communications, and energy—so as to reduce the imbalance in their vital economic relations with South Africa.

And fifth, we should reduce the impact of potential interruptions of South African exports of key minerals to the United States by stockpiling ferrochrome and ferromanganese, developing a national minerals policy and contingency plan, and diversifying our sources of supply.

The strategy for South Africa I have just outlined respects the three principles of peaceful pluralism stated earlier:

1. Respect for the inherent equality of individuals and protection of their civil liberties.
2. Equitable access to political and economic power.
3. Encouragement of society's peacemakers.

On that last point, the groups and individuals working for fundamental and nonviolent change in South Africa are that country's peacemakers. They need our help. Of the many who could be named, three have recently appeared in the news:

Bishop Desmond Tutu, the head of the South African Council of Churches, and an alumnus of Columbia University, who won this year's Nobel Peace Prize for his efforts to bring freedom and justice to his land.

Byers Naude, another clergyman—white, Afrikaner—whose longstanding banning order was just lifted. Reverend Naude's offense was that he challenged the political and religious orthodoxy of the dominant group of which he was a member and called for human rights for all South Africans.

Dr. Mamphela Rampele, a medical doctor who was banned and banished to a remote part of South Africa. She had dared to join the consciousness-raising activities under the leadership of Steve Biko, whose own life was snuffed out in a South African prison. While in banishment, Dr. Rampele operated a medical clinic and stimulated self-help economic projects in her area. Dr. Rampele was recently in this country to be honored.

Each is a proxy for the thousands, if not millions, of others who yearn for freedom and justice in their lands and who, despite all odds, have the courage to act on their beliefs.

And now let's come home.

How do we in the United States measure up to the three principles of peaceful pluralism with respect to race relations? In particular, what is the recent history and current status of blacks? Are there discernible trends?

By comparison with that turbulent world I just described, contemporary America will appear to most as an exemplar of peaceful pluralism. Indeed, through most of its history the United States has voluntarily sought to increase its diversity. To the 40 million immigrants of all races, religions, and ethnicities who came here before World War I, we are now adding new ones at the rate of one million a year, of even more diverse origin.

But we are not in a position to congratulate ourselves because America's blacks, other minorities, and women of all races are still a long way from full equality. As a result, the trumpet we sound should have a muted tone. For equality is an absolute status. Its achievement is to be measured not in relation to the standards of other societies but to the standard we have set for ourselves. As John Hope Franklin says: "Equality...is a concept deeply embedded in American constitutional law.

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One either has it or does not have it. Thus, it is scarcely germane...to observe that blacks are better off here than they...are in Zambia or Mauritania." By comparison with America's vision of democracy expressed in its Declaration of Independence, and in comparison with its most fundamental political values, America is a long way from racial equality.

One must not infer, however, from our failure to eliminate the legacy of racial discrimination that nothing has changed. The status of America's black people is not at all as it was in the last century or as it was in 1954, to pick a memorable date. There have been many critical changes over those thirty years, both favorable and unfavorable.

Black Americans are American blacks, committed to share the nation's destiny, to fight its wars, to elect its leaders, and to be its leaders. Black frustrations stem from the fact that the affirmation of full participation is not matched by behavior or results. Though there is less of a gap between our ideals and practices than elsewhere, for America's minorities and for America's women much remains to be done.

The changing status of American blacks over the last thirty years is recorded by a social accounting system that is not always up to the reality it attempts to portray. The record is therefore subject to competing interpretations. Disclaimers aside, the statistics tell a story whose validity, at least in broad outline, is generally accepted. That story can be summarized by three sets of observations.

The first says that over the thirty years since 1954 American blacks, in the aggregate, made demonstrable gains in many of the most important aspects of life: income, educational attainment, health, housing, job

status, and electoral politics. Those gains are reflected in both absolute terms and in relation to whites. Progress was more pronounced, however, in the first two-thirds of the period than in the last. It is further agreed that these gains were the combined result of:

—The adoption of anti-discrimination laws and a national commitment to their enforcement.

—Sustained national growth, which made room for new entrants into the labor market, coupled with the Great Society's targeted programs to correct the legacies of past discrimination.

—A network of individuals and institutions attentive to resolving frictions between groups and helping those who need help to cope with our system.

The second set of observations states that during the same thirty years, the path of different segments of the black population took different turns. Blacks in two-parent families and with adequate schooling maintained fairly steady rates of progress up until the late 1970s. Blacks from one-parent households and with inadequate schooling underwent a sharp descent, as measured by various indicators, that has not yet come to an end.

The third part of the story is that since the late 1970s, and even more so since 1980, progress came to a halt for most segments of the black population, including intact families. It is generally agreed that the reasons for this reversal were a steep economic recession, cutbacks in social programs, and a slackening in the commitment to the enforcement of civil rights. There is considerable dispute about the relative weight of each factor, but the pattern is clear.

The indicators of progress through the late 1970s, however much one must qualify them, constitute a significant advance for a minority

so long deprived. Those gains did not go unnoticed in the black population. A Roper survey taken at the end of the 1970s reported that 80 percent of blacks—a higher proportion than of whites—expressed confidence in the future. There has been a temptation in some quarters to slight the positive outcomes and to highlight only the negative; there is a concern that any concession of success will blunt the cutting edge of advocacy and reduce the pressure for further advance. One can understand such feelings. But not to recognize achievements when they are real can also discourage those who worked so hard to make them happen. If one believes that the period from 1954 to say 1979 counts for little, by what standards can we then assess the regression that has occurred since?

During the same period, there also were failures. A large and growing proportion of the black population is increasingly beset by poverty and chronic unemployment with all of the attendant consequences: broken families, teenage pregnancy, inadequate education, drug abuse, and crime. Each of the positive indicators is matched by a contrasting indicator of deterioration. There is no need to go into the highly publicized statistics.

While the proportion of single female heads of households has grown in the population at large, the numbers and the negative consequences are most pronounced among blacks. By 1980, nearly one-half of all black families were headed by women, and the proportion is still climbing. With infrequent exceptions, this situation is equated with poverty and reflects the dual burden of race and gender discrimination. Such families have less than one-half the income of intact black families, and more than half live below the poverty line.
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One of the consequences of the breakdown of families has been the catastrophic rate of unemployment among black youth. In the 1950s, the unemployment and labor-force participation rates of black teenagers were approximately equal to those of whites; young blacks' unemployment rate is now more than double the white rate, and the distance is increasing. Worse yet, there has been a persistent withdrawal of young black males from the labor force. A widening gap has opened up, and the younger the age group, the greater the gap.

Isolated from the job market, black youth became vulnerable to self-destructive tendencies and joined in disproportionate numbers in the culture of street crime that so adversely affects their own communities. What has emerged is a group locked into a depressed and unproductive life style, whose fortunes do not change with the economy. The black community is persuaded that the problem has to be addressed from within, not just by the larger society, and has more than ever begun to mobilize its own resources—its churches and other institutions and its traditions of mutual aid. Last summer's Black Family Summit Meeting in Nashville was an important step in planning and organizing a series of efforts in this direction.

The late 1970s and the years since 1980 saw an acceleration in the slippage rates of the black population. Every stratum of the black community was adversely affected, including the two-parent household. According to the Urban Institute, by 1983 the black poverty rate rose to a record 36 percent; those families included one-half of all black children. Half of the increase in the poverty rate was due to a cutback in social programs.

The nation seems to be undergoing a shift of attitude, in part because of an overloaded

budget and endless deficits and in part because we have begun to lose sight of our history as a nation. Nowhere is the retreat more noticeable than in the enforcement of civil rights.

In the 1960s and 1970s a series of far-reaching civil rights laws was enacted. America had begun to expand the first component of pluralistic governance—equality among groups.

A score of federal watchdog agencies were established to monitor and remedy discriminatory practices in such areas as employment, housing, education, federally funded programs and activities, and voting rights. Reinforcing the government's civil rights agencies were private civil rights monitoring groups eagerly pressing forward with determination and vigor to eradicate discrimination's "roots and branches." And progress was made to that end.

Over time, as the courts became increasingly involved in the enforcement of civil rights laws, the concept of what constitutes adequate redress for entrenched racial discrimination and its legacies began to evolve and become more refined.

It is convenient to separate that evolution into three ascending stages. Stage One is racial neutrality. Courts and policymakers focused on eradicating blatant legal bars to racial equality. Characterized by a series of "thou shalt nots," Stage One's concern was to eliminate racially exclusionary laws and practices.

As these barriers fell and places of public accommodation and facilities, for example, were desegregated, we moved to Stage Two. We recognized, as former President Lyndon Johnson stated, that:

> You do not take a person who, for years, has been hobbled by chains and liberate him,

> bring him up to the starting line of a race and then say, "You are free to compete with all others," and still believe [that you are] being fair. [I]t is not enough just to open the gates of opportunity. All of our citizens must have the ability to walk through those gates. This is the next and more profound stage of the battle for civil rights....

To some, the movement to stage-two remedies for discrimination seemed to conflict with the "colorblind" notions embodied in Stage One. Some were troubled by the approach of these remedies, best captured by Supreme Court Justice Harry Blackmun's phrase: "In order to get beyond racism, we must first take account of race."

The benign use of racial identification for inclusionary rather than exclusionary purposes basically moved anti-discrimination policy ahead from passive neutrality to active involvement. For example, experience teaches us that it is often not enough for a company that has had a history of excluding blacks from its workforce merely to quietly change its exclusionary policies. Its reputation among blacks would be too poor to expect them to come eagerly knocking at its doors. So, a stage-two approach would require that company to do something more: perhaps cast its recruitment net more widely by advertising its job-openings in minority newspapers or undertaking special recruitment efforts in the minority community. Stage Two might also require an employer to take positive steps to help minority group members qualify for jobs by providing training opportunities or language instruction. This step may involve a degree of special treatment, since white applicants on the whole may be less likely to need the same type of assistance.

Stage Three extends Stage Two. It was recognized that in order to correct discrimi-

nation against groups of people, group-wide remedies had to be implemented. Therefore, to take the preceding example, if a company had discriminated in hiring against blacks as a group, a court might order that company to undertake positive measures to ensure that the group was adequately represented in its workforce.

The question then became, by what standard should one determine when a violation of group rights has been remedied? Reliance upon numerical measures of progress such as goals and, in rarer instances, quotas grew. Thus, to use that example once again, the company might be required to fill a certain number of jobs with blacks, for example, until such time as their representation in the workforce was roughly equivalent to the percentage of blacks in the area in which the company was located.

These principles, described as Stages One, Two, and Three, are the component parts of the concept known as affirmative action. Its underpinning is rooted deep in equitable principles derived from the English Chancery Court system. And it is rooted in reality.

Oliver Wendell Holmes observed: "The life of the law has not been logic: it has been experience." Thus, those who would argue against the concept of affirmative action on grounds that it is in conflict with colorblind principles really ignore the practical imperatives of why the system had to move to Stage Three. In some quarters, affirmative action is viewed as an unfair preference for protected classes of persons who may be its beneficiaries: women, minorities, and the disabled, for example. Some members of the Jewish community, for instance, have expressed an aversion to the use of numerical measures of group inclusion, recalling their

own prior bitter circumstances under which quotas were used by governments and institutions to exclude, not include, Jews from the full enjoyment of rights and privileges to which they were entitled. Others have expressed similar opposition to affirmative action, particularly at a time when the need to redress discrimination against one historically excluded group may work to the disadvantage of individuals not in the protected group.

These are legitimate concerns and no one should take them lightly, for they threaten to erode the broad coalition upon which so much racial progress has been founded in America. But, to me, the remedy of affirmative action is an almost inescapable phase of our long journey toward racial equality. Without affirmative action as a transitional and hence transitory remedy, and without the other civil rights laws that are sometimes characterized as too intrusive, I doubt that the pace of progress toward inclusion of all our citizens would have been as brisk. I wonder, for example, whether without numerical measures of progress, there would have been as many women and minorities admitted to our law and medical schools. I wonder whether, absent the pressure of court orders, we would have seen promising movement of increasing numbers of women from occupationally segregated jobs. We do know that there is a growing body of statistical evidence demonstrating that, generally speaking, minority and female participation in the more desirable jobs increased *after* 1960, and even more so *after* 1970. These are the nation's two decades of vigorous enforcement of civil rights laws—including the use of the affirmative action remedy.

The current discord over affirmative action is disturbing, but not surprising. I can think of no social reform that has not been accom-

panied by a clash of equities. To my mind, the need to balance one prized value against another is what democratic governance is all about.

Whitney Young said it as well as anyone ever has: "An open society has to be based on equality. This means neither the superficial 'equality of opportunity' that gets so much lip service these days, nor does it mean an impossible equality of achievement that assumes that everyone will do as well as everyone else, regardless of innate differences. The measure of equality has to be group achievement: when in each group in our society, roughly the same proportion of people succeed and fail, then we will have true equality."

I don't believe it is an overstatement to say that America is at a critical time in its march toward equality.

The pressure is coming from American minorities who want to hold it to its values and its promise. The pressure is coming from women of all races who are demanding an end to inequality in their lives. The pressure *will come* from America's newcomers who are a microcosm of the world.

The opportunity to respond to that pressure is also there. America is closer to the three principles of peaceful pluralism than any nation on earth and it must not turn away.

If we stay the course there is a brighter future for generations of Americans and, through our example, perhaps for the world.

At its root the message is simple: Do unto others as you would have them do unto you. The golden rule is not only a guide to daily personal behavior; it is a key to the survival of our fragile planet.